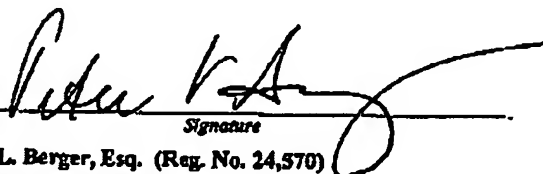*Fee purpose only*

COMBINED AMENDMENT & PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Small Entity)	Docket No. 840.085.001

The fee for the amendment and extension of time is to be paid as follows:

☐ A check in the amount of _____ for the amendment and extension of time is enclosed.

☒ Please charge Deposit Account No. 02-2105 in the amount of $55.00

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2105

    ☒ Any additional filing fees required under 37 C.F.R. 1.16.
    ☒ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.

☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

_____
Signature

Peter L. Berger, Esq. (Reg. No. 24,570)
Levisohn, Berger & Langsam, LLP
805 Third Avenue, 19th Floor
New York, New York 10022
Phone (212) 486-7272
Fax (212) 486-0323

Dated: Nov. 17, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

_____
(Date)

_____
Signature of Person Mailing Correspondence

_____
Typed or Printed Name of Person Mailing Correspondence

Fee purpose only

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION	Docket No. 840.085.001

In re Application of: Whitehouse

Application No. 10/719,330

Filed: Nov. 20, 2003

For: CHARGED PARTICLE TRAPPING.....

The owner, _____ Analytica of Branford, Inc. _____ of ___100.00___ percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 166 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent g granted on pending second Application Number ___10/056,671___, filed on ___1/25/02___.
The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

3. Owner/applicant is ☒ Small entity ☐ Large entity

The terminal disclaimer fee under 37 CFR 1.20(d) is ___$55.00___ and is to be paid as follows:

☐ A check in the amount of the fee is enclosed.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number ___02-2105___.

☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

PTO suggested wording for terminal disclaimer was

☒ unchanged. ☐ changed (if changed, an explanation should be supplied.)

_____
Signature

Name and Address of Person Signing

Peter L. Berger, Esq. (Reg. No. 24,570)

Levisohn, Berger & Langsam, LLP

805 Third Avenue, 19th Floor

New York, NY 10022

Phone (212) 486-7272

Fax (212) 486-0323

Dated: ___Nov. 17, 2004___

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

_____
(Date)

_____
Signature of Person Mailing Correspondence

_____
Typed or Printed Name of Person Mailing Correspondence

12/01/2004

01 FC:2814   55.00 DA

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PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2003

Application or Docket Number
10/719-330
840.085.001

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	5	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	5 minus 20=	*
INDEPENDENT CLAIMS	1 minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT		☐

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☑   OR   **OTHER THAN SMALL ENTITY**

	RATE	FEE		RATE	FEE
BASIC FEE		385.00	OR	BASIC FEE	770.00
	X$ 9=		OR	X$18=	
	X43=		OR	X86=	
	+145=		OR	+290=	
TOTAL		385	OR	TOTAL	

CLAIMS AS AMENDED - PART II

AMENDMENT A
11/17/04

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	* 5	Minus	** 20	=
Independent	* 1	Minus	*** 3	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

SMALL ENTITY   OR   **OTHER THAN SMALL ENTITY**

	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
	X$ 9=		OR	X$18=	
	X43=		OR	X86=	
	+145=		OR	+290=	
	TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

AMENDMENT B

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
	X$ 9=		OR	X$18=	
	X43=		OR	X86=	
	+145=		OR	+290=	
	TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

AMENDMENT C

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
	X$ 9=		OR	X$18=	
	X43=		OR	X86=	
	+145=		OR	+290=	
	TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, writ "0" in column 3.
** If the "Highst Number Previously Paid For" IN THIS SPACE is less than 20, nter "20."
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.